



PATENT
Attorney Docket No. 101.0077-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NDB
10-4-01

In re Application of:)
)
Gary K. Michelson, M.D.)
)
Serial No.: 09/553,573)
)
Filed: April 19, 2000)
)
For: Artificial Hemi-Lumbar Interbody)
Spinal Implant Having An Asymmetrical)
Leading End And Method For)
Installation Thereof)

Group Art Unit: 3738

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: August 31, 2001

By: 

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CERTIFICATE OF MAILING VIA FIRST CLASS MAIL

Date of Deposit: August 31, 2001

I hereby certify that:

1. Information Disclosure Statement Under 37 CFR 1.97(b)
2. Form PTO-1449
3. 4 documents
4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Date: August 31, 2001


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